

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

MO-G13A000

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

All Outfalls - SIC Codes 0273 and 0921

Concentrated Aquatic Animal Production Facilities utilizing impoundments, tanks or recirculating systems.

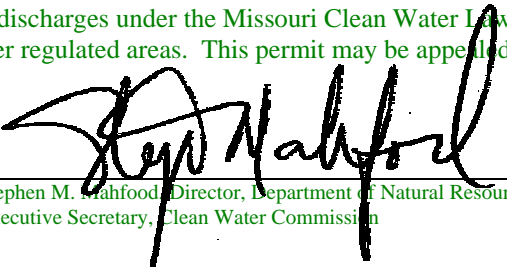
This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

September 19, 2003

Effective Date

September 18, 2008

Expiration Date
MO 780-1481 (7-94)



Stephen M. Cahfood, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

Jim Hull, Director of Staff, Clean Water Commission

APPLICABILITY

1. This permit authorizes the discharge from flow-through Concentrated Aquatic Animal Production Facilities (CAAPF). CAAPFs are defined as a hatchery, fish farm or other facility which contains, grows or holds aquatic animals, discharge at least 30 days per year, and which meet the following operational thresholds:
 - a. flow-through facilities which produce aquatic animals in excess of 20,000 pounds per year or which feed at least 5000 pounds of food per month are CAAPFs.
 - b. impoundment or recirculating facilities which produce aquatic animals in excess of 100,000 pounds per year are CAAPFs.
2. Impoundment aquaculture is defined as production in impoundments, closed cells or tanks which average less than one discharge per week annually (excluding harvest activities). Except during harvest activities or period of excessive precipitation, discharge is not permitted to occur more for more than three consecutive days. No impoundment aquaculture facility shall discharge more than three days in any one week for any reason other than harvest, renovation, or excessive precipitation. Recirculating systems are defined as production in impounded waters or tanks with flowing water that is recirculated through the system. Both cold water and warm water aquatic animals may be produced in these facilities. Facilities that maintain a discharge as part of normal operation shall apply for MO-G130.
3. Any facility which violates any of the conditions or requirements of this permit may be required to obtain a site specific permit.
4. If at any time the owner of a CAAPF desires to apply for a site specific NPDES permit, the owner may do so.
5. This permit applies to the production of fish, crawfish, and amphibians. It does not apply to the production of alligators, turtles, or other aquatic species.
6. This permit only applies to the discharge of water from production facilities. Fish manure, mortalities, sediments, or any other solids collected as part of any cleaning or renovation processes must be disposed of properly and not discharged into waters of the state. Proper disposal methods depend on the nature of the material and include, but are not limited to, land application, composting, or disposal at a permitted wastewater treatment facility.
7. This permit authorizes the use of drugs or chemicals in the farm/hatchery operation that have been approved by the USEPA in aquatic environments. USEPA approval is demonstrated on the product label by mandated instructions or precautions for use in aquatic environments. Other drugs or chemicals, including those approved by the USFDA and "Investigational New Animal Drugs", may be used after prior approval from the department. Records of drugs or chemicals used must be maintained. Records must include the name of the chemical, reason for its use, date applied, and amount used at the facility.
8. This permit does not apply to CAAPFs which use floating, hanging, or anchored net structures with a hydraulic connection to waters of the state, otherwise known as net pen aquaculture.

SPECIAL CONDITIONS

1. Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - a. General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
2. This permit may be reopened and modified, or alternatively revoked and reissued, to:
 - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (2) controls any pollutant not limited in the permit.
 - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
 - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

REQUIREMENTS AND GUIDELINES

1. An Operation & Maintenance (O&M) plan shall be developed employing Best Management Practices (BMPs) for preventing the discharge of solids from the facility. This plan must be submitted to the Water Pollution Control Program for review and approval within 60 days of issuance of this permit to a facility. The plan should be specific to the facility and include:
 - a. a sketch or diagram showing the flow of water through all production and wastewater treatment areas;
 - b. methods for minimizing solids release during all activities (harvest, renovation, etc.);
 - c. type of wastewater treatment process used to reduce solids discharges, such as discharge to a vegetated swale, settling basin, etc.
 - d. schedule of solids removal from impoundments or wastewater treatment area and disposal method for solids generated;
 - e. schedule for amending/updating plan in the event of expansion or a change in operations.
2. If a impoundment must be drained for any reason, the final 20% of impoundment volume shall be held for at least 2 days after disturbance ceases before discharge. Impoundments may not be flushed or washed with water unless the wastewater undergoes primary treatment prior to discharge.
3. Impoundment valves shall be closed immediately after draining of impoundments to avoid sediments being washed out of impoundments by rainfall.
4. At least one foot of freeboard shall be maintained in impoundments during normal operation.
5. Water shall not be released for at least 72 hours after any drug or chemical treatment has been applied.
6. Drugs or chemicals may not be used in a manner inconsistent with label instructions. In no case shall the discharge of drugs or chemicals result in acute or chronic toxicity in the receiving stream. In the event that the department has evidence of toxicity in a receiving stream, a Whole Effluent Toxicity test may be required to determine the potential for water quality impacts of the drug or chemical.
7. If the chemical Rotenone or a formula containing Rotenone is applied, the affected water shall not be released for a minimum period of 35 days, during which the water is held in an outdoor open tank or basin. If the chemical Antimycin or a formula containing Antimycin, such as Fintrol®, is applied, the affected water shall not be released for a minimum period of 14 days, during which the water is held in an outdoor open tank or basin. Discharge of these chemicals after less than the prescribed number of days is only allowed when rainfall is in excess of the 25 year, 24-hour storm event.
8. Annual Report

Records of drug, chemical, and feed use, as well as the duration and approximate volume of any discharges, shall be submitted by January 28th for the previous calendar year. All drugs and chemicals to which fish or production waters are exposed shall be reported except ice, oxygen and carbon dioxide. This includes pesticides, sodium chloride (salt), vinegar, or any other substance added to the water. In addition, prior approval must be obtained from the department before these drugs or chemicals are used except for those which have been approved by the USEPA for use in aquatic environments. For drugs and chemicals, the name and amount used since the previous report shall be submitted. For feed, the product name, chemical additives (such as antibiotics), and guaranteed analysis shall be submitted with the amount used since the previous report. For discharges, including those that occur during harvest, include the approximate volume and length of days the discharge occurred.

REQUIREMENTS AND GUIDELINES (continued)

9. In order to obtain approval for use of a drug or chemical a permittee should submit the following information:
 - a. method for exposing/treating fish or facility. Include concentration of the chemical and duration of exposure.
 - b. method for disposal of the chemical.
 - c. toxicity data for the chemical. The requirement for toxicity data may be waived if the chemical is not discharged.The department may request additional information before approval is granted.
12. Feed, fertilizers and chemicals shall be stored in an area protected from contact with stormwater.
13. All CAAPFs utilizing impoundments, tanks or recirculating systems which require an NPDES permit constructed after October 1, 2003, or which undergo modification which requires a Construction Permit after October 1, 2003, must discharge to a device providing primary treatment of wastewater prior to discharge to waters of the state. Appropriate primary treatment devices include, but are not limited to, quiescent zones, full flow sedimentation basins, off line sedimentation basins, and sock filters. Other appropriate solids treatment devices will be considered and approved by the department on a case by case basis.
14. All outfalls must be clearly marked in the field.

PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee. The new owner must also submit with the application an updated Operation & Maintenance Plan for review.

TERMINATION OF PERMIT

If activities covered by this permit have ceased and this permit no longer applies, the permittee shall request termination of this permit. The permittee shall submit Form H, Termination of a General Permit.